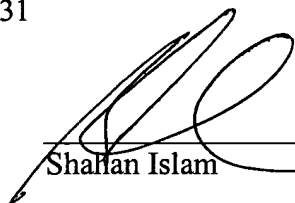


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9/24/02
DH

I hereby certify that this response and accompanying petition are being deposited as First Class Mail, postage pre-paid, this 9th day of September, 2002 in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231


Shafian Islam

FUJI 16.863

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor: Fumiko SEMBA, et al.	:	
	:	
Serial No.: 09/465,708	:	Examiner: Rasha G. AL AUBAIDI
	:	
Filed: December 17, 1999	:	Group Art Unit: 2642
	:	
For: Exchange and Computer Readable	:	
Medium Storing Exchange Control	:	
Program	:	
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Assistant Commissioner of Patents
Washington, D.C. 20231

September 3, 2002

AMENDMENT

SIR:

This is in response to the Office Action of May 8, 2002 (a Petition for a One-Month Extension of Time is enclosed) in which the Examiner:

- (a) rejected claim 1, 3, 7 and 8 as anticipated by Nhaissi (U.S. Patent No. 6,381,315); and
- (b) rejected claims 2, 4 and 9 as obvious over Nhaissi in view of Leipow.

Based on the following remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE NHAISSI PATENT IS NOT A PROPER REFERENCE

The filing date of Japanese Patent Application No.10—361579 (on which this US application is based) is December 18, 1998, which precedes the December 2, 1999 filing data of the Nhaissi reference. Submitted herewith is an English translation of Japanese Patent Application No.10-361579 to establish that the rejected claims are entitled to the foreign priority data of December 18, 1998. Applicants therefore respectfully request withdrawal of the Nhaissi reference as to the rejected claims under 35 U.S.C. 102 (e) and 103 (a)

II. THE CLAIMS ARE NOT ANICIPATED BY OR RENDERED OBVIOUS OVER THE JOHNSON PATENT

As to claim 1 rejected by Johnson, although moderator 1 receives bidding information from the carriers' network management computers 2 (Johnson, col.3, lines 45—53) , the moderator 1 does not receive “a number of a telephone terminal of a called party.” The carrier's network management computer 2 is clearly different from a telephone terminal of a called party.

In addition, the moderator 1 sends carrier selection information to switches, and the switches select a carrier based on the carrier selection information (Johnson, ABSTRACT, col.2, lines 7—27) Thus, the moderator 1 does not “select [] a network from a plurality of connectable networks including the Internet with said number”.

In view of the above claims 1 and 3 cannot anticipated by Johnson or rendered obvious thereover.